

# MEMORANDUM

GOE

Agenda Item No. 3 (D)

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**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

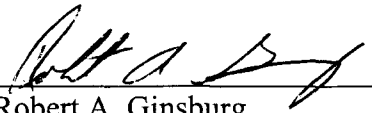
**DATE:** November 9, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution relating to the  
Homestead Educational  
Facilities Benefit District  
(EFBD)

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** November 30, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

11-30-04

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, THE CITY OF HOMESTEAD, AND THE HOMESTEAD EDUCATIONAL FACILITIES BENEFIT DISTRICT ("EFBD"), CREATING THE EFBD TO FINANCE CONSTRUCTION, OPERATION, AND MAINTENANCE OF CERTAIN PUBLIC SCHOOL FACILITIES; AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN

**WHEREAS**, this Board has enacted Ordinance No. \_\_\_\_\_, creating and establishing the Homestead Educational Facilities Benefit District, subject to approval of an Interlocal Agreement with The School Board of Miami-Dade County ("School Board"), the City of Homestead ("City") and the Educational Benefit District ("EFBD"); and

**WHEREAS**, the Florida Legislature has authorized the creation of Educational Facilities Benefit Districts to provide an alternative mechanism for financing the construction, maintenance and operation of public educational facilities, pursuant to Sections 1013.355-1013.357, Florida Statutes, through cooperative arrangements among district school boards, local general purpose governments and benefited private development interests; and

**WHEREAS**, this Board desires to enter into such cooperative arrangements to provide an alternative mechanism for financing the construction, maintenance and operation of public schools in one of the fastest growing areas of the County, where additional public school facilities are and will be needed; and

**WHEREAS**, the governing board of the EFBD includes representatives appointed by the School Board, the City and the County, and such public representatives constitute a majority of

the members of the EFBD governing board, so that there will be public oversight of the activities of the EFBD; and

**WHEREAS**, the Interlocal Agreement approved hereby contains specific requirements for the construction of public schools at particular sites within the EFBD boundaries, as well as dollar limits on the assessments that may be imposed by the EFBD, unless the parties to the Interlocal Agreement modify such dollar limits,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby approves the Interlocal Agreement with The School Board of Miami-Dade County, the City of Homestead, and the Homestead Educational Facilities Benefit District, in substantially the form attached hereto and incorporated herein by reference, and authorizes the County Manager to exercise the termination provisions contained therein

The foregoing resolution was sponsored by Commissioner Katy Sorenson and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson

Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales


Dorin D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of November, 2004. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency. 

Joni Armstrong Coffey

By: \_\_\_\_\_  
Deputy Clerk

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**ATTACHMENT TO PROVIDED AT A LATER DATE**